

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**AMENDMENT TO OIL AND GAS LEASE**

**STATE OF TEXAS**

**COUNTY OF TARRANT**

Reference is made to the Oil and Gas Lease dated effective February 20, 2007, recorded at Instrument #D207087035 in the Official Public Records of Tarrant County, Texas, from McKinney Memorial Bible Church (hereafter referred to as "Lessor"), whose address is 4805 Arborlawn Drive, Fort Worth, Texas, 76109 and Vargas Energy, Ltd. (hereafter referred to as "Vargas"), whose address is 4200 S. Hulen, Suite 614, Fort Worth, Texas, 76109 (hereafter referred to as the "Lease").

Whereas, by Assignment dated August 1, 2007, recorded at D208015102, the Lease was assigned by Vargas to XTO Energy Inc. (hereafter referred to as "Lessee");

Lessor and Lessee desire to amend the Lease by the following:

The first paragraph of Paragraph 4 is hereby deleted in its entirety and is replaced by the following:

"Lessee agrees to pool the leased premises and other lands(s) or leases(s) adjoining the leased premises in order to form, either before or after production is obtained, a unit not to exceed the number of acres permitted as provided below; such pooling, however, to be substantially in the manner identified on the plat attached hereto as Exhibit "B" and such pooling being limited to the Barnett Shale formation. Pooling of the leased premises as to any formation other than the Barnett Shale formation shall require the prior written consent of Lessor. No pooling shall be effective unless Lessee executes and places of record in the county in which the leased premises are located a written instrument or instruments designating the unit it has formed. The acreage so pooled shall be treated as if it were included in this Lease, and in lieu of the royalty specified in this Lease, Lessor shall receive from the production of the unit so formed only such portion of royalties as the amount of acreage of the leased premises bears to the total acreage in the unit. Production or operations on any part of the pooled unit shall be treated as production or operations on the leased premises."

Lessor hereby adopts, ratifies and confirms the Lease, as herein amended and grants and leases hereby exclusively unto Lessee, the Land subject to and in accordance with the terms of the Lease as amended hereby.

LESSOR:

MCKINNEY MEMORIAL BIBLE  
CHURCH

By: George W. Farris  
Name: George W. Farris  
Title: Elder Chairman

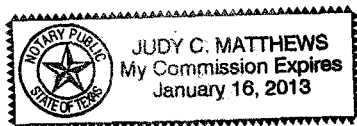
LESSEE:

XTO ENERGY INC.

Edwin S. Ryan, Sr.  
Edwin S. Ryan, Sr. Vice President – Land Administration *ms*

STATE OF TEXAS  
COUNTY OF TARRANT

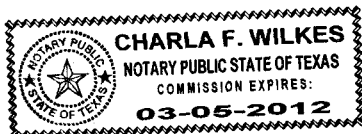
This instrument was acknowledged before me on the 32 day of January, 2010, by George Farris, \_\_\_\_\_ of McKinney Memorial Bible Church.



Judy C. Matthews  
Notary Public, State of Texas

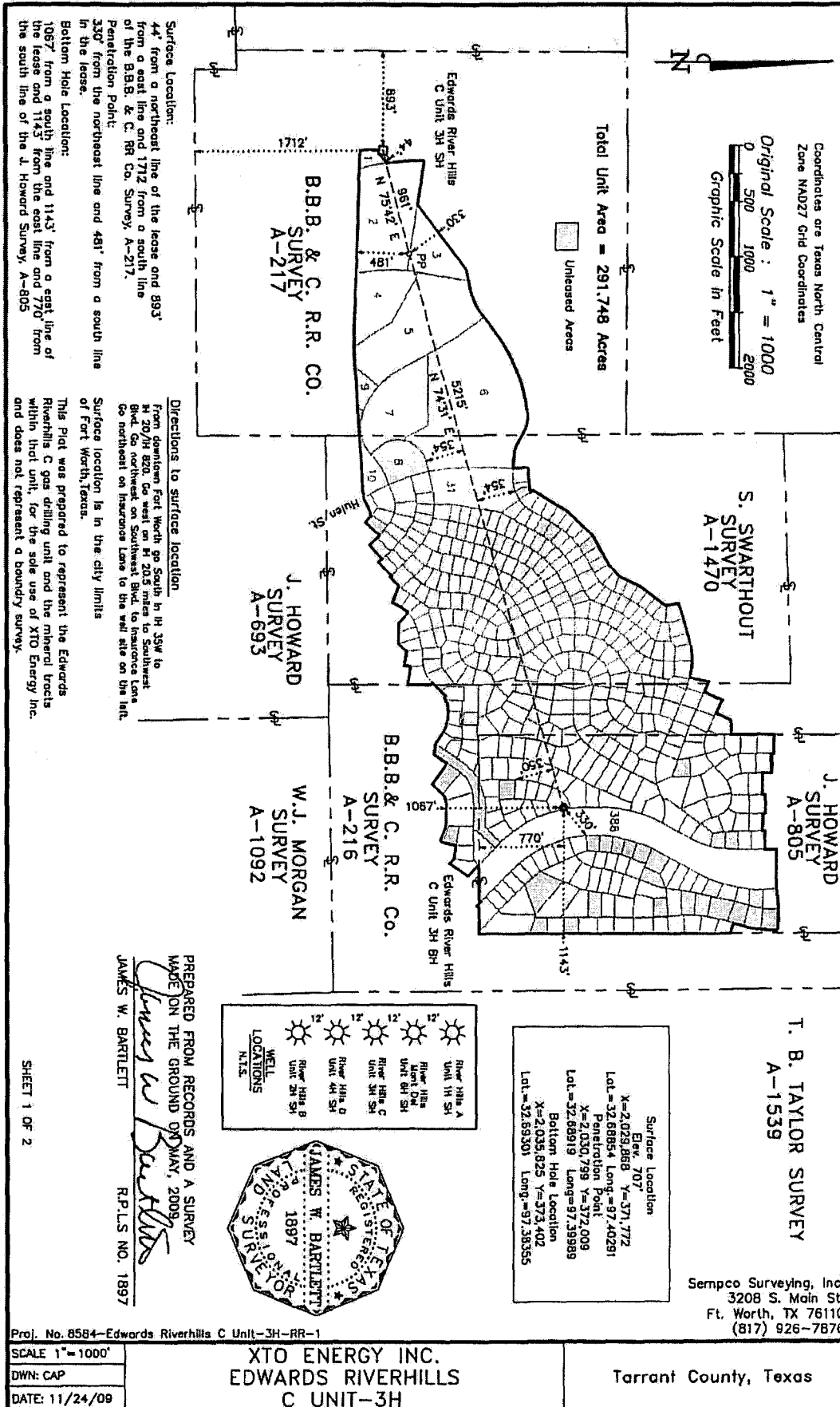
STATE OF TEXAS  
COUNTY OF TARRANT

This instrument was acknowledged before me on the 2nd day of February, 2010, by Edwin S. Ryan, Sr. Vice President – Land Administration of XTO Energy Inc., a Delaware corporation, on behalf of said corporation.



Charla F. Wilkes  
Notary Public, State of Texas

Exhibit "B"



SUZANNE HENDERSON

COUNTY CLERK



100 West Weatherford Fort Worth, TX 76196-0401

PHONE (817) 884-1195

VARGAS ENERGY LTD  
ATTN: BRETT AUSTIN  
4200 S HULEN, STE 614  
FT WORTH, TX 76109

Submitter: VARGAS ENERGY LTD

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Filed For Registration: 2/8/2010 1:51 PM

Instrument #: D210028383

LSE

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PGS

\$24.00

By: \_\_\_\_\_

*Suzanne Henderson*

D210028383

ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY  
BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

Prepared by: SLDAVES